



600 SOUTH AVENUE WEST • WESTFIELD, NEW JERSEY 07090
908.654.5000 • FAX 908.654.7866 • WWW.LDLKM.COM

PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

William A. Di Bianca
908.518.6340
wdibianca@ldlk.com

March 19, 2009

Commissioner For Patents
Office of Initial Patent Examination
Customer Service Center
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Our File: SPINE 3.0-437 CIP CIP CIP CIP CIP CIP CON I
Application No. 10/784,646
Filing Date: February 23, 2004
Group Art Unit: 3738

Dear Sir:

We are enclosing herewith a copy of a filing receipt dated May 19, 2004 for the above-identified patent application.

Please note that the filing receipt is incorrect. Please delete the priority data listed in the filing receipt and insert the following under **Domestic Priority data as claimed by applicant:**

This application is a continuation of 10/282,356 filed 10/29/02 PAT. 7,169,182
which is a CIP of 10/256,160 filed 9/26/02 PAT. 6,989,032
which is a CIP of 10/175,417 filed 6/19/02
which is a CIP of 10/151,280 filed 5/20/02
which is a CIP of 09/970,479 filed 10/4/01 PAT. 6,669,730
and is a CIP of 10/140,153 filed 5/7/02
and said 09/970,479 filed 10/4/01 PAT. 6,669,730
is a CIP of 09/968,046 filed 10/1/01 ABN
and said 10/140,153 filed 5/7/02 ABN
is a CIP of 09/970,479 filed 10/4/01 PAT. 6,669,730
and said 10/140,153 filed 5/7/02 ABN
is a CIP of 10/128,619 filed 4/23/02 PAT. 6,863,689
and said 10/128,619 filed 4/23/02 PAT. 6,863,689
is a CIP of 09/906,119 filed 7/16/01 PAT. 6,607,559
and said 10/128,619 filed 4/23/02 PAT. 6,863,689
is a CIP of 09/982,148 filed 10/18/01 PAT. 6,673,113



Commissioner For Patents
Office of Initial Patent Examination
March 19, 2009
Page 2

Kindly issue a corrected filing receipt for the above-identified application as soon as possible.

Sincerely yours,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP

A handwritten signature in black ink, appearing to read "WILLIAM A. DI BIANCA".

WILLIAM A. DI BIANCA
Reg. No. 58,653

WAD/kj
Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE RECD	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/784,646	02/23/2004	3738	385	F-269	18	20	1

36402
SPINECORE, INC.
447 SPRINGFIELD AVENUE
SUITES W2-W3
SUMMIT, NJ 07901

CONFIRMATION NO. 8184

FILING RECEIPT



OC000000012705207

Date Mailed: 05/19/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Joseph P. Errico, Kirkland, WA;
Michael W. Dudasik, Nutley, NJ;
Rafail Zubok, Midland Park, NJ;

Domestic Priority data as claimed by applicant

This application is a CON of 10/282,356 10/29/2002
which is a CON of 10/256,160 09/26/2002
which is a CON of 10/175,417 06/19/2002
which is a CON of 10/151,280 05/20/2002
which is a CON of 09/970,479 10/04/2001 PAT 6,669,730
and is a CON of 10/140,153 05/07/2002
and said 09/970,479 10/04/2001
is a CON of 09/968,046 10/01/2001
and said 10/140,153 05/07/2002
is a CON of 09/970,479 10/04/2001 PAT 6,669,730
and is a CON of 10/128,619 04/23/2002
which is a CON of 09/906,119 07/16/2001 PAT 6,607,559
and is a CON of 09/982,148 10/18/2001 PAT 6,673,113

Foreign Applications

If Required, Foreign Filing License Granted: 05/18/2004

Projected Publication Date: 08/26/2004

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Artificial intervertebral disc trial having a controllably separable distal end

Preliminary Class

623

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

- The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).